IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 20TH AUGUST 2007 / 29TH SRAVANA 1929

WP(C).No. 21814 of 2007(V)

PETITIONER:

RINTU P.BABU, D/O. BABU P. KURIAKOSE,
AGED 22 YEARS, PALLATHUKUDY HOUSE,ADIMALI-685561.

BY ADV. SRI.THOMAS M.JACOB
SRI.G.RAJAGOPAL

RESPONDENTS:

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1. CENTRAL BOARD OF SECONDARY EDUCATION,
REPRESENTED BY ITS CHAIRMAN, PLOT NO.1630 A,
J BLOCK, 15TH MAIN ROAD, ANNA NAGAR WEST,CHENNAI.

2. THE DEPUTY SECRETARY,
CENTRAL BOARD OF SECONDARY EDUCATION,PLOT NO.1630A
J BLOCK, 15RH MAIN ROAD, ANNA NAGAR WEST, CHENNAI.

3. THE PRINCIPAL,
ST. PETER'S SENIOR SECONDARY SCHOOL, KADAYIRUPPU.

BY ADV. SRI.DEVAN RAMACHANDRAN
SMT.T.G.SEETHAL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

WP(C) NO. 21814 OF 2007 - V

Dated this the 20th day of August, 2007

J U D G M E N T

In this writ petition, the petitioner seeks a direction to the respondents to correct the date of birth of the petitioner recorded in Exts.P2 and P3 certificates issued by the C.B.S.E. The petitioner's correct date of birth is 5.4.1985 as evidenced by Ext.P1 Birth Certificate. However, the date of birth recorded in Exts.P2 and P3 is 5.4.1986. The petitioner seeks a direction to the respondents to make this correction in Exts.P2 and P3.

2. The contention of the respondents as stated by the learned Standing Counsel appearing for respondents 1 and 2 is that the regulations applicable contain a time limit of two years from the date of declaration of results of Class X examination for applying for such correction. This Court has, in W.P(C) No.37476 of 2004, held that such regulations are only directory in nature and not mandatory. In that case, it was also directed to make corrections despite the application being beyond the

period of limitation as prescribed. I had also followed the said judgment in Ext.P6 and other judgments. Therefore, I am satisfied that the petitioner is entitled to similar reliefs.

3. Accordingly, I direct respondents 1 and 2 to make appropriate correction of date of birth of the petitioner in originals of Exts.P2 and P3 correcting the petitioner's date of birth as 5.4.1985 instead of 5.4.1986, notwithstanding any time limit. This shall be done within a period of two weeks from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007